

HAMILTON COUNTY BOARD OF COMMISSIONERS
JUNE 2, 2004

The Hamilton County Board of Commissioners met with representatives of the Hamilton County Humane Society on Friday, June 2, 2004. The meeting was held in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. President Dillinger called the meeting to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt.

Hamilton County Humane Society

Holt stated the Animal Taskforce has been meeting for two years working on animal control for Hamilton County. An Animal Control Ordinance was passed. Sub-committees that met were an Animal Education group, a Feral Cat group and a Facility group. As a result of the Facilities Group the realization came that we needed a more adequate facility to operate the Humane Society and Animal Control. Hamilton County Council and Commissioners decided to obtain a Bond for the construction of the new facility that met the parameters of the consultant's recommendations for the future. The Bond did not cover the expenses of the recommended shelter. Those involved had to come up with a new design for a shelter with the money available. Those plans are completed. There was a discussion of the location of the shelter and if it covered our future needs. Due to that issue and issues within the Humane Society the discussions were stalled. There have been repeated requests from the Commissioners to the Humane Society asking how we were going to make this work with the county's belief that no animal should be turned away and the Humane Society's belief that no healthy, adoptable animal should be euthanized.

Mr. Dave Sanders stated the Humane Society wants to work with the County, we want to fulfill the county's wishes as far as taking all of the animals. We are in a position that we have had such an influx of animals that we would have to severely step up our euthanasia to accept all the animals for the county and that is not something we are willing to do right now. A new shelter would help alleviate the problem. We are not warehousing animals. Our adoption rates are skyrocketing. At this point we have had a lot of animals and we don't have anywhere to put them. Altman asked how many animals come in and how many are adopted per day? Mr. Sanders stated in 2000 we received 1431 animals with a placement rate was 63%, in 2001 we received 1195 animals with a placement rate of 78%, in 2002 we received 1507 animals with a placement rate of 72%, 2003 we received 2313 animals with a replacement rate of 73%. Altman asked how do we resolve the fact of that we have more animals coming in than going out? We can't build a big enough shelter unless there is an alternate and she does not know what the alternate is other than euthanasia.

Mr. Steve Nichols stated animal ownership has been given an image of being a right as opposed to being a privilege. There are too many people that want to adopt an animal or buy an animal from a pet store and then after six months say it is not going to work. The expectation of the Humane Society to rescue all of those people that do that is difficult for us to fathom. That is the mentality that has to change. Until the ordinance has some teeth, then we will continue to be in this chronic cycle of building a bigger facility and filling it up. The Humane Society's position is that we don't feel we can jeopardize our stance on euthanasia in terms of saying because we need the spot we will put the animal down. Dillinger stated if you look at the logical side, if people come to the conclusion that they do not want the animal any more and then you can't take it they will try to give it to someone else and if they can't do that they will take in to the country and let it loose, then it is the county's problem. No one wants to kill animals, from a logical standpoint the county's obligation is animal control. If we have to go to an animal control facility and officer we would have to keep the animals seven days and then they would be euthanized. While the Humane Society does not want to euthanize, the alternative for the county is to kill more animals. Mr. Nichlos stated you are asking the Humane Society to compromise our stance on euthanasia. Dillinger stated you are asking us to not do what we are statutorily obligated to do. Mr. Nichols stated he understands, if someone is able to enforce the ordinance forcing people to pay fines or forcing them to get their animals altered, then that will change the dynamic in terms of the amount of animals that come in. Dillinger asked how do you do that? Altman asked at what point does it become a social issue for the Humane Society and a taxpayer issue from a fiscal standpoint? At what point do we put the burden of animal ownership and stewardship on the taxpayer? That is what we are elected to do, to try and find a happy medium. The alternative is not good, it is a constraint issue of how far do we force your beliefs on the taxpayers as a whole? From the conversations and e-mails she has received it is not universal, it is a minority that you do not take a practical approach. Holt stated under our contract the county does not pay for the animal after seven days, the Humane Society takes on that expense. Therefore the taxpayer is not paying for an animal that the Humane Society elects to keep for three months, the problem is that animals are being turned away and the public health and safety problems that it creates. We can not build a big enough shelter to accommodate this philosophy. Ms. Pat Rice stated there is an issue to educate the public on the need to spay and neuter, to make a thoughtful decision before choosing to take an animal in to their home. This education happens in other communities and can happen, but it takes time and takes the work of a whole community, not just a shelter. A committee of the Humane Society Board is the reality of how long an animal should remain in a shelter. We do not intend to have 13 year old dogs and cats living out their lives in cages. What is the reality of giving the animal an opportunity for an animal to be adopted. What is a reasonable time so potential families have more than one weekend to come and look at animals. Dillinger stated the reasonableness lies in the numbers. Ms. Rice stated we had a shelter consultant do a study for us and based on the projections for the county we know we are going to have more families moving in to the community and they will want pets in their lives, obviously you will want a bigger shelter and a better shelter. Dillinger stated we are not questioning that. Ms. Rice asked how much time do we have to develop a creative program, how much time is reasonable to give the animals a chance to be adopted?

Mr. Sanders stated we are holding an animal for seven days, per the ordinance. It is the period after the seven days that we are having a problem with. We want to keep that animal for adoption. For space purposes the county does not want that animal around. Altman stated part of the taxpayer's burden is to supply the cash to give the animal all the necessary shots so it can live in the shelter. We have set it up so the animal can be adopted without it being diseased. To be fair to the taxpayers we have set up a situation that a reasonable amount of time for any animal that is brought in is adopted. The county picks up the room and board for seven days. You have done your partnership by holding the animal longer. The humane society has done a wonderful job. It comes back to the time you allow the animal to be adopted and what is fair to the animal.

[#772] Holt stated Mr. Sanders and he have discussed the feasibility of government taking over the responsibility for euthanasia, where the humane society would continue to do the intake, education, adoption, spay-neuter and the management of the facility. The decision of keeping space available would fall to a government employee. Mr. Sanders stated he has talked to the Humane Society Board and the consensus was that a lot of details would have to be worked out. The overall thought is that we would like to continue to partner with the county. Holt asked what details do you view as problematic? Mr. Sanders stated probably the humane society staff would probably

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have every dog on their side to adopt. We would have to work on the details of how long a dog remains on the adoptable side and moves to death row. Who will be responsible for what? Overall it is a partnership we welcome. Holt stated he does not think we want a drop dead date on when a dog is adoptable, as long as there is space give every animal an opportunity to be adopted, but there has to be space for the incoming animal. That is the defining moment of when a dog is not longer up for adoption. Mr. Sanders stated the detail would be it would be a county employee that would do the picking. Mr. Nichols stated another option is who ever is there the longest would be moved over. Ms. Rice stated the issue is not a win-lose situation, it is more of a lose-lose situation for the animals. Whether you euthanize them before they come to the shelter side or the shelter makes the decisions, some of the animals will be losers. Making the decision based on the age of the animal or the length of time it has been there may be useful. Altman stated in reality, some animals would be more adoptable than other animals. Maybe there should be a second triage that when an animal control officer brings the animal in are we going to give every animal an opportunity to the exclusion of someone more adoptable or not? That decision needs to be looked at. Altman asked if it is possible to divide the shelter in to two areas, one primarily for adoption and the other for pet reclamation (claiming by owner)? Altman asked if we have a consensus that no matter what kind of facility we build, it will have to have spay-neuter within the facility? Holt stated yes, that is a big part of the solution. The county is currently funding up to \$10,000 a year for a spay-neuter program. Most years the Humane Society has not been able to use all of that money. Mr. Sanders stated they need to do better with that. Holt stated an idea of having Vet Technicians from Ivy Tech interning at the shelter is a wonderful idea. Ms. Rice stated the Humane Society received a gift two years ago of \$10,000 for the purpose of having a spay-neuter surgery facility. Altman asked if we did spay-neuter at the county facility, would it be free of charge to the public? Mr. Nichols stated he did not think it could be funded to be free. Altman stated we are spending \$250,000 on animal control and the only way we are going to turn it around is to control animals. Mr. Nichols stated he does not disagree, it is hard to estimate how many people would take advantage of a free service. Altman asked if they had any projections on how much it would cost, per animal, for spay-neuter? Altman would like to see the numbers on that. Mr. Bruce Graham stated we have a lot of trouble now determining where the dogs come from, you will have a lot of people from other jurisdictions wanting to use the free service. Altman stated it would have to be a Hamilton County resident. Holt stated this is problematic, we spent two years talking about spay-neuter and we did not reach any conclusions. It is a great question and needs to be answered, it is not something for this morning's agenda. Altman would still like to see the numbers. Mr. Nichlos stated a big part of the cost would be who is going to do the spay-neutering. Right now there has to be a licensed veterinarian on staff when a procedure like that is being done. Altman stated we need to move on with the facility. Holt stated we have designed the facility twice. Dillinger stated we can't move on with the facility until we come up with a conclusion if the facility will meet our needs. The Humane Society provides a service, the county has an obligation and we have to make sure our obligation is fulfilled. Dillinger stated while we need to assist the Humane Society in things they want to do, it is not our obligation to assist them. Our obligation is well defined. We should assist the Humane Society to help them accomplish the goals they want to accomplish to the extent it fulfills the obligation the county has.

[#1455] Dillinger stated we could have a facility, with part of the facility run by government, after seven days the Humane Society takes them or we euthanize them. The Humane Society would set their own rules. The county would not turn any animal away. Mr. Sanders stated the Humane Society wants to do spay-neuter programs and we strive to do that. That is our responsibility, our funding and our job to do that. Mr. Dave Brown clarified that Dillinger stated statutorily it is the county's responsibility to capture and after seven days euthanize them. It is not to try to educate, it is not to try to reduce the problem which is the over population? Dillinger stated we can assist the Humane Society to do that. Altman stated her concern is that in the public health situation with the Health Department we have defined what we do with the Health Department and when we see a need we expand that as we see a need. We need to consider, as an overall solution, animal control of the county. Dillinger stated he does not disagree, but the county is in a financial situation when we are not giving raises, not doing the road work we have done before. Now is not the time. Altman stated if we are building a building that will last 20 years, it should be considered in the construction process and the personnel funding down the road. Dillinger stated he is not arguing that we should not build the capability in to the facility, but to facilitate them. Altman stated it is a public health issue and long-term issue that we need to explore. Holt stated we still need to get to the governance issue this morning. Holt stated if we talk in terms of a county employee or government employee that does the euthanasia and clears the cage of the animal that is to be euthanised and disposes of the corpse, does that get the Humane Society over the hurdle of Humane Society beliefs in terms of an animal's life, if you are not involved in that process? Mr. Sanders stated he can't speak for the Board, but he believes so. Holt stated if we have one person on site fulfilling that mission, everything else that is involved in the current operation or the operation as we have envisioned it as a new facility for the Humane Society we would go forward with? Mr. Sanders stated yes, we hope with expanded education and spay-neutering. Mr. Nichols stated logistically it may take two part-time employees as opposed to one person. It will take two people to accomplish euthanasia, one to administer and one to restrain the animal. Holt stated in the instances where it would take more than two people, would the Humane Society staff help? Mr. Sanders stated they probably would. Mr. Nichols stated if it is a temperament issue, yes. Even the nicest dog is not going to sit there and allow that to be done to them. Mr. Sanders stated we have an average of 100 animals and within that seven day holding period you will have an average of 100 animals. Will the Humane Society be responsible for the cleaning, feeding, etc. or would that be the county's? Holt stated that is what Dillinger has said he wanted, but we have never talked about that. That is a radical departure from the contract. We are paying you for the seven days. Everything would go as it is currently going. Mr. Sanders clarified that the Humane Society would still be the shelter management. Holt stated yes. Ms. Rice asked if there would be guidelines on those animals be euthanized on factors of age, etc. so it would be very clear? Holt stated the easiest would be first in, first out. Holt stated he can see the Humane Society saying, no this is an adoptable animal, but the animal in another cage could sit here a lifetime and no one could take it. That will put the Humane Society back in the process, which is logical but you will have to chose how you want it, do you want to be involved in the process? Mr. Graham asked if the Humane Society's stance on euthanasia only lethal injections? Mr. Nichols stated that will be the county's decision, if they are going to be responsible for euthanasia, injection is the most humane way. The other issue will be how the county handles the remains.

Holt stated the driving issue is to be able to accept an animal that comes to the door. If that partnership is acceptable to the Humane Society, is it acceptable to the Commissioners? Dillinger asked if Holt is proposing that part of the building would be an intake center? Holt stated no, this would be no design change at all. Altman stated we had a \$4 million design and then we re-designed at the existing facility, which we thought was not a good use for that. What is the second design? Holt stated the first design was a \$4 million facility. The second design is a \$2 million

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dollar facility that would be located behind the fairgrounds by Household Hazardous Waste. It is a state of the art building, it does not have the capacity of a \$4 million building. Altman stated she does not want to say there is a consensus on the design because she has never seen it. The Commissioners need to decide where we are getting the most space. Holt stated that is fine.

Holt stated it sounds like we are going to be able to go forward in partnership, if we can get a 2005 operating agreement together and approved, call a meeting of the Humane Society leadership and the Commissioners to look at the design to make sure that is where we want to go. Altman stated conceptually she agrees but she would like to look at the numbers to see what our personnel costs would be, what our expense would be, how the Humane Society's expenses go down because right now you are handling that part of the contract with overhead, etc. It would be a reduction, per animal, to the Humane Society. Altman stated we need to allocate costs to where it is reasonable to the Humane Society and what is reasonable to the taxpayer. We can not add personnel on our end without a reduction on their's.

[2250] Holt stated we need to consider the other municipalities. Mr. Mike Booth, Fishers, stated obligations and philosophical differences aside, Fishers sees this as an on going problem that will continue due the increase in numbers of people. The issue of governance is one that is important and that has been identified today. This is another opportunity for government to work with a private entity. Government is going to support as much as it needs to. The Humane Society is a cost-cutting approach for the county's responsibility for animal control. As a participating unit, Fishers is looking for a governance that is going to be there no matter what. That is an assurance we have to have. Governance has to be there today and in 20 years. Government has to take the lead role and take responsibility for this function and look at the Humane Society as a partner to reduce our costs and numbers. Altman asked if Fishers is suggesting an interlocal agreement with an operating entity among government? Mr. Booth stated Fishers will participate by interlocal agreement. If we had no Humane Society to provide service, the cost will go up and then Fishers will look to see if they can not do it as inexpensively as the county does or can we do it on our own. The function of the participating units is that we want to continue and this is the way we want to go. The only difficulty we have is the continuance of service, but there is no enforcement. We have to take animals, no matter what, but the control has to be at the county level.

Mr. Curt Kinman, Noblesville, stated he would agree as far as we have a service to provide and whether we go it alone, which is not cost effective nor is it something we would consider at this point, we wish to continue in the way it is going. Noblesville has to have the guarantees that the facility and service is there. We would be supportive of whatever the Commissioners come up with. We wish to participate and provide the service to our citizens.

Chief Mike Fogarty, Carmel, stated he concurs with Mr. Booth and Mr. Kinman. It is an enforcement issue and we all recognize that problem is not going to get better, it is going to get worse. Education is a great part of this issue, but it is a public safety issue for Carmel. Our relationship with the Humane Society has been good and the partnership is the way to go. It is a governmental responsibility to provide these services and that should be the lead. He would hope the partnership with the Humane Society would continue, but it is the county that has to take the lead. It boils down to a public safety issue.

Dillinger asked what their opinion was on building the facility, taking so much space for an intake center which is run by government. As the entities bring animals in, they come in that door. We hold the animals 7 days, as required by statute. At the end of that time, giving the Humane Society the animal. That way no one is turned away, we are meeting our obligation, we are in a partnership with the Humane Society. If they chose to not take the animal, then the county is the responsible party for the euthanizing. Dillinger stated we would have animal control on one side of the building and Humane Society on the other side of the building. Is that a workable situation? Chief Fogarty stated that is a workable situation, the limitations are dictated by the size of the facility. This will always give the opportunity for intake. The down side is the euthanizing of the animals. Dillinger stated this will meet both of our goals, the Humane Society does not want to euthanize. Our obligation of taking all of the animals, controlling the future of this from a governmental standpoint, it seems it gives everyone the opportunity to do what they need to do. Holt asked in terms of animal control dogs, are the jurisdictions not having a problem having an animal received at the Humane Society? Mr. Graham stated no, but if it is an individual resident, yes. Holt stated that is why what you are suggesting is not workable. The calls, letters and e-mails we are receiving are individuals who are bringing animals to the Humane Society to drop it off, those are the people being turned away, not the municipalities. Dillinger stated he understands that, they could still do this with the intake center. The Humane Society could have the option of taking the animal when it comes in, if they want it. Holt stated they are doing that now, it is the idea that when there is no room they are turning people away. Holt stated you will create more space problems if you have two entities operating out of the same problem, it is not necessary as long as the county can deal with euthanasia. Mr. Nichols stated if the county has to hold animals that are strays for seven days, you will experience space issues. If you have a finite area for the intake center, then at some point you will reach capacity. Dillinger stated that is an obligation we will have to take care of. Mr. Nichlos stated his concern is how that will be handled, will the Humane Society be asked to take the overflow? Dillinger stated it needs to be programmed in the future. We are in a fast growing community and those are adjustments we will have to make. Altman stated we need to talk with our partners more extensively. It concerns her that we have met the Humane Society's needs and we will have a county facility that every citizen in the county is paying for, to make it right we need to afford every entity to participate in the program, on however we agree, with the taxpayers paying for the facility and those who participate in animal control in this facility sharing the costs of animal control. We need to design the facility not just with the Humane Society, but also with our partners. We have not forwarded the municipalities what their vision is. We need to give the Humane Society Board a chance to say what they will commit to, to continue the partnership as is and define it and then schedule another meeting with the municipalities to see what they want to do. Altman stated we need to hear from the people voting on the money. Dillinger stated we tried to do that a few years ago. We had a lot of discussions from the people that were involved in it, but until we get signatures on the dotted lines, we will not have a deal. Altman stated in the long term we have to recognize it is a county facility but the operations are the expensive part that are ongoing. The triage is that everyone that signs up has space guaranteed and we will accept other animals as they come in. Mr. Booth stated he believes the option of the Humane Society being the operating entity will work, if there is the government function of controlling the space, which can be done by the county's animal control officer.

[#709] Holt asked if there is comfort in asking the county attorney to draft an operating agreement and schedule a meeting with the architect? Altman stated she would prefer setting a meeting with the other entities. Holt stated should the Humane Society have an operating agreement to look at to hold that vote? Altman stated she does not want to spend the time until we have agreement on the base concept. Holt stated in fairness to the Humane Society, they

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should have a proposed operating agreement, so they know what they are voting on. Altman stated either that or they come up with their terms. Holt stated he does not think we want to do that. Altman stated she wants to know that conceptually this works for the Humane Society. She wants a commitment from the Humane Society what their criteria is. Dillinger stated we need to know that from the municipalities as well. Dillinger stated we can put the two options in writing, send a letter to the Humane Society and the municipalities, set a date for another meeting to see it is workable. Altman stated she wants the municipalities elected officials at the table also. Holt stated he has trouble supporting Dillinger's options. It is not a good use of tax dollars, it creates an us and them philosophy. The Humane Society should be in charge other than euthanasia. We send a confusing message to the municipalities if we say pick A or B. It is not their problem, it is a governance issue, it is our facility. Holt stated the municipalities issue is financial, how much they are going to be charged per animal. The details are irrelevant to a municipality. Dillinger stated they need to have the option to have a defined, long-term position of government. Dillinger stated he is not saying Holt's option is bad, but he wants the other one considered as well. Altman stated she supports that. Animal control is the county's responsibility, but it is the municipalities responsibility just as equally as the county's.

[#996] Dillinger stated we will put together a letter to the Humane Society and the municipalities to take to their governing bodies. We need to set a date in the letter when we would like to meet again and we would like those decisions made. Ms. Judy Cohen asked if the letter will spell out specific details, will it be either/or, can they be tweaked? Dillinger stated they can be tweaked, he is not saying there are not other alternatives, he knows these two alternatives are workable. Mr. Sanders asked for clarification on the options.

Option #1 - Build a new facility with the Humane Society staying in the operating mode we are in now and the county supplying a euthanasia officer.

Option #2 - One side of the building is pure government to meet our obligation. It is an intake center. We hold the animals up to seven days, but if the Humane Society wants an animal for adoption they can have them. At the end of the seven days the animal goes through to the Humane Society, where you can do whatever you want to do with the animal. County will try to assist with neutering. We will meet our obligation now and long-term. Mr. Sanders clarified that the county's half of the building is the county's management and the Humane Society's half of the building is their management. Holt stated don't assume it is 50/50.

Altman stated we need direct participation from the municipalities elected officials. Altman stated every municipality in the county will be sent a letter. Holt stated in fairness to the municipalities, they need to know what the costs are verses the government doing it and the Humane Society doing it. No one in the room will dispute the fact that we could not do the cost per animal as to what the Humane Society can do with their volunteers and employees. The wild card is the inoculation issue, whether we have the courage to hold an animal seven days without shots. That is a huge detail.

Mr. Brown asked if the county has 100 cages and they are full and you have to hold the animal for seven days and there is no animal that has been there seven days, where are you going to put the animal? You can not euthanize them because of statute, you have to hold them seven days. Altman stated there is modeling of the use of communal cages. Dillinger stated that is a valid point, but he does not have the answer at this point. Ms. Rice stated she would like to mentally walk through the process.

Altman asked what is the percentage of animals that have gotten loose, gone to the Humane Society and the owner reclaims them? Mr. Sanders stated 16%-17%. Altman asked if you charge the owners? Mr. Sanders stated no.

Mr. Graham stated there is a discrepancy on the charges on return to owners. He tells his citizens that if someone's dog is running at large and he brings it to the Humane Society, he does not feel the taxpayers should foot the bill. He tells the Humane Society to charge the full amount to the citizen to get the dog back.

Riverview Hospital Search Committee Appointments:

Dillinger stated Bruce Breeden will be his appointment to the Riverview Hospital Search Committee. Holt and Altman will get their appointments to Ms. Rauch.

Meeting adjourned.

Present

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Fred Swift, Administrative Assistant to Commissioners

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Commissioners

Mike Howard, County Attorney

Michael Fogarty, Carmel Police Department

Curt Kinman, Noblesville Police Department

Charles Jones, Noblesville Police Department

Judy Cohen, Humane Society Board

Steve Nichols, Humane Society Board

David Sanders, Humane Society Board

David Brown, Humane Society Board

Randi Haley, Humane Society Employee

Angie Swinford, Humane Society Employee

Karen Spartz (Britton), Humane Society Volunteer

Kera Slowitsky, Humane Society Former Employee

Diana Lamirand, Noblesville Ledger

Lind Uhl, Humane Society Employee

Susan Jennings, Noblesville

Velda Buinitz

Tammy Sollenberger

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Mike Booth, Fishers
Chrissy Farris, Humane Society Employee
Patricia Ritz, Humane Society Board
Bruce Graham, Carmel Police Department
George Piper, Noblesville Times
Barry McNulty, Health Department

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor